

GR 16428

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March 22, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231



Re: U.S. Utility Patent Application  
Appl. No. 09/017,715; Filed: February 3, 1998  
For: **Breast Cancer Specific Gene 1**  
Inventors: Ji *et al.*  
Our Ref: 1488.0810003/EKS/AJK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17);
2. Associate Power of Attorney;
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. Statement Concerning the Deposited Plasmid;
5. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1)(*in duplicate*);
6. Check No. 27012 for \$870.00 to cover: \$870.00 for three month extension of time fee; and
7. One return postcard.

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MAR 24 2000  
TC 1600 MAIL ROOM

Assistant Commissioner for Patents  
March 22, 2000  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Andrea Jo Kamage*

Andrea Jo Kamage  
Agent for Applicants  
Registration No. 43,703

EKS/AJK/jk  
Enclosures

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SKGF Rev. 9/23/98 dcw

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ji et al.

Application Serial No.: 09/017,715

Art Unit: 1642

Filed: February 3, 1998

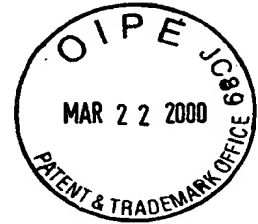
Examiner: Johnson, N.

For: Breast Cancer Specific Gene I

Atty. Docket: 1488.0810003/EKS/AJ

STATEMENT CONCERNING THE DEPOSITED PLASMID

Assistant Commissioner for Patents  
Washington, D.C. 20231



Sir:

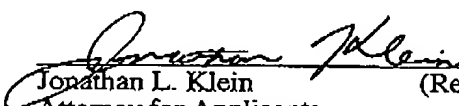
The undersigned attorney of record hereby states:

1. A plasmid containing human cDNA encoding a Breast Cancer Specific Gene I polypeptide was deposited under the terms of the Budapest Treaty on January 23, 1997 at the American Type Culture Collection (ATCC), Patent Depository, 10801 University Boulevard, Manassas, VA 20110-2209 (current address), and given accession number 97856, as evidenced by the deposit receipt attached hereto.

2. Assurance is hereby given that: (1) the deposit was made under terms of the Budapest Treaty; (2) except for the limitations allowed by 37 C.F.R. § 1.808(b), all restrictions on the availability to the public of the deposit will be irrevocably removed upon the granting of a patent from the captioned application; (3) the deposit has been made under conditions such that access to the material will be available during the pendency of the captioned patent application to one determined by the Commissioner; and (4) the deposit will be maintained with the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

Respectfully submitted,

Date: MARCH 22, 2000

  
Jonathan L. Klein  
Attorney for Applicants

(Reg. No. 41,119)

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